IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

Crl.Rev.Pet.No. 2716 of 2007()

CRA.433/2004 of ADDL. SESSIONS COURT (ADHOC) III, PALAKKAD
CC.23/2003 of JUDL.MAGISTRATE OF FIRST CLASS COURT-III, PALAKKAD

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REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED.

KRISHNAKUMAR, S/O.LATE SHANMUGHAN,
AGED 43 YEARS, PUTHANPURA,
PUDUPPARIYARAM,PALAKKAD.

BY ADV. SRI.K.P.BALAGOPAL

RESPONDENTS:

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1. K.SURESH BABU, S/O.KANNAPPAN,
KIZHAKKE HOUSE, MOOTHANTHARA, KODUVAYOOR,
PALAKKAD.

2. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.SURESH KUMAR KODOTH

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 17/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl. R.P. NO. 2716 of 2007

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Dated, this the 17th day of July 2007

ORDER

The accused in C.C.No. 23 of 2003 on th**e file** of the J.F.C.M-III, Palakkad for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A No. 7819 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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